



Docket No.: PF-0420-2 DIV
Response Under 37 C.F.R. 1.116 - Expedited Procedure
Examining Group 1644

Certificate of Mailing

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By: [Signature] Printed: D. Ellis

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of: **Magna et al.**

Title: **HUMAN NUCLEOTIDE PYROPHOSPHOHYDROLASE-2**

Serial No.: **09/757,716**

Filing Date: **January 9, 2001**

Examiner: **DeCloux, A.**

Group Art Unit: **1644**

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**NOTICE OF APPEAL FROM THE EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated April 7, 2003, of the Examiner's rejection of Claims 46, 48, 49, 51, 53-60 and 66-68.

Please charge the Appeal fee of **\$320.00** required under 37 CFR 1.17(b) to Deposit Account No. **09-0108**. The Commissioner is hereby authorized to charge any additional fees which may be required or credit any overpayments to Deposit Account No. **09-0108**.

Respectfully submitted,

INCYTE CORPORATION

[Signature]
Terence P. Lo

Limited Recognition (37 C.F.R. 10.9 (b)) attached
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**BEFORE THE OFFICE OF ENROLLMENT AND DISCIPLINE
UNITED STATE PATENT AND TRADEMARK OFFICE**

LIMITED RECOGNITION UNDER 37 CFR § 10.9(b)

Terence P. Lo is hereby given limited recognition under 37 CFR § 10.9(b) as an employee of Incyte Genomics Inc. to prepare and prosecute patent applications wherein Incyte Genomics Inc. is the assignee of all right, title and interest in the invention claimed in the application. This limited recognition shall expire on the date appearing below, or when whichever of the following events first occurs prior to the date appearing below:

(i) Terence P. Lo ceases to lawfully reside in the United States, (ii) Terence P. Lo's employment with Incyte Genomics Inc. ceases or is terminated, or (iii) Terence P. Lo ceases to remain or reside in the United States on an H-1 visa.

This document constitutes proof of such recognition. The original of this document is on file in the Office of Enrollment and Discipline of the U.S. Patent and Trademark Office.

Expires: November 25, 2003

Harry I. Moatz

Director of Enrollment and Discipline